

Delaware Cemetery Board Bylaws

Article 1 - Name

The committee shall be known as the Delaware Cemetery Board.

Article 2 – Mission

The mission of the Cemetery Board is to provide for the registration of cemeteries in Delaware, to appropriately refer complaints from the public related to cemeteries, and to create a fund that can be used to ameliorate the conditions in a distressed cemetery.

Article 3 – Board Composition and Terms

The Cemetery Board shall consist of five members appointed by the Secretary of Delaware Department of Health and Social Services to include three owners or operators of a cemetery and two public members. Each member shall serve for a term of three years, and may successively serve for additional terms at the pleasure of the Secretary.

Article 4 – Selection of Officers

The Chairperson of the Cemetery Board shall be chosen by the board members, shall serve one term, and may be re-elected for additional terms.

Article 5 – Meetings

The Delaware Cemetery Board shall hold regularly scheduled meetings at least twice each year, and at such times as the Chairperson deems necessary; or at the request of a majority of the Board Members.

Section 1 Notice of meetings

Notice of the time, place and a draft agenda to be considered at each meeting shall be given in writing to all board members in advance of the meeting. Any matters not appearing on the agenda may be considered upon a favorable vote of a majority of the members present to do so. Notice of special meetings and intended agenda items for special meetings shall be given to all board members in advance.

Section 2 Minutes of Meetings

Accurate minutes of all Delaware Cemetery Board meetings shall be maintained by the State Division of Public Health administrative support. Minutes shall include, but not be limited to, a record of all Cemetery Board actions, a record of attendance at meetings and a summary of discussions. The minutes of each meeting shall be sent to each Cemetery Board member prior to each meeting.

Article 6 – Officers and Duties

Section 1 Officers

The officers of the Delaware Cemetery Board shall consist of a Chair. The chair shall be elected by the Delaware Cemetery Board and the Chair's term of service shall be for three years. Upon completion of the Chair's term of service, the Board may re-elect the current Chair or elect another member of the Board.

Section 2 Named

The officers of the Delaware Cemetery Board can be anyone on the Delaware Cemetery Board with the exception of members from the State Division of Public Health, and any other state agency personnel.

Section 3 Duties of the Chair

The Chair shall provide an agenda for each meeting, preside at all meetings of the Delaware Cemetery Board, preserve order during the meetings, appoint subcommittees as necessary, approve the members of subcommittees, serve as an ex-officio member of such subcommittees, sign all documents connected with the activities of the Delaware Cemetery Board or its subcommittees requiring such signature, and be responsible for facilitating the policies adopted by the Delaware Cemetery Board or its subcommittees.

Article 7 Voting

Section 1 One Vote

Each Delaware Cemetery Board member shall be entitled to one vote. Decisions will be made with a simple majority vote.

Section 2 Abstentions

Delaware Cemetery Board members may register their abstention on any vote which shall be reflected in the minutes.

Article 8 Staff

Administrative support for the Delaware Cemetery Board shall be provided by the State Division of Public Health.

Article 9 Amendments of or to Bylaws

These bylaws may be amended or replaced upon the affirmative vote of majority of the entire membership of the Delaware Cemetery Board at any meeting of the Delaware Cemetery Board provided that any proposed changes have been circulated to all Delaware Cemetery Board members at least two weeks prior to any action thereon.